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IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THE 15TH DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE H.RANGAVITTALACHAR

HRRP NO.148/1998

BETWEEN:-

M.A.Bhavani,

W/o.M.B.Aiyappa,

Aged about 41 years,

Residing at No.199,

Ground Floor,

Canara Bank Colony,

Nagara Bhavi Road,

Bangalore - 560 072.

... PETITIONER

(By Sri.A.K.Subbaiah, Adv.)

A N D:-

Sri.R.P.Mallik,

S/o.B.S.Mallik,

Residing at No.199 1st Floor,

Proprietor International Scientific Works

Canara Bank Colony, Nagara Bhavi Road,

Bangalore - 560 072.

... RESPONDENT

(By Sri.R.B.Sadashivappa and
Sri.S.R.Khamroz Khan, Adv.)

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-: 2 :-

HRRP is filed U/s.50(1) of the K.R.C. Act against the order dated 19-11-1997 passed in H.R.C. No.782/1996 on the file of the VII Additional Judge, Court of Small Causes, Bangalore.

This HRRP coming on for admission this day, the court made the following:

O R D E R

Petitioner was directed by an interim order of the learned Judge of Small Causes on 31-5-1996 to restore the water supply to the respondent/tenant pending consideration of the application filed under Sec.43 by the tenant.

Though petitioner was directed, he disobeyed the order and therefore the learned Judge in exercise of his powers under Sec.43(5) of the KRC Act directed the landlord/petitioner herein to pay the damages @ Rs.20/- per day. This order is under challenge.

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-: 3 :-

Admittedly, the landlord has not challenged the order passed by the learned Judge on I.A-I on 31-5-1996 wherein he was directed to restore the water supply and that order had become final. In view of the same, there is no option for the landlord but to restore the water supply.

I do not find any infirmity in the order as the same is based on evidence and is in accordance with Sec.43(5) of the KRC Act.

No ground to interfere.

Petition rejected.

Sd/-
JUDGE.

vns.

R. By : *LR*

C. By : *R*

Copy

LR

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

30/5/98





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